

**"SEC. 5A. FUNDING PRIORITIES.**

"In making funding decisions under this Act, the Secretary shall give priority to projects with one or more of the following attributes:

"(1) Projects providing significant improvements in ecological values and functions in the project area.

"(2) Projects that enhance the long-term health of local economies or generate job or job training opportunities for local residents, including Youth Conservation and Service Corps participants and displaced resource harvesters.

"(3) Projects that provide protection to human health, safety, and property.

"(4) Projects that directly benefit economically disadvantaged communities and enhance participation by local residents of such communities.

"(5) Projects that restore or enhance fish and wildlife species of commercial, recreational, subsistence or scientific concern.

"(6) Projects or components of projects that can be planned, designed, and implemented within two years."

(g) **TRANSFER OF FUNDS.**—The Watershed Protection and Flood Prevention Act (16 U.S.C. 1001-1010) is amended by adding at the end the following new section:

**"SEC. 14. TRANSFERS OF FUNDS.**

"The Secretary may accept transfers of funds from other Federal departments and agencies in order to carry out projects under this Act."

**TITLE IV—MISCELLANEOUS**

**SEC. 401. INVESTMENT FOR AGRICULTURE AND RURAL AMERICA.**

Section 5 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

"(g) Make available \$2,000,000,000 for the following purposes:

"(1) Conducting rural development activities pursuant to existing rural development authorities.

"(2) Conducting research, education, and extension activities pursuant to existing research, education, and extension authorities."

**SEC. 402. COLLECTION AND USE OF AGRICULTURAL QUARANTINE AND INSPECTION FEES.**

Subsection (a) of section 2509 of the Food, Agriculture, Conservation, and Trade Act of 1990 (21 U.S.C. 136a) is amended to read as follows:

"(a) **QUARANTINE AND INSPECTION FEES.**—

"(1) **FEES AUTHORIZED.**—The Secretary of Agriculture may prescribe and collect fees sufficient—

"(A) to cover the cost of providing agricultural quarantine and inspection services in connection with the arrival at a port in the customs territory of the United States, or the preclearance or preinspection at a site outside the customs territory of the United States, of an international passenger, commercial vessel, commercial aircraft, commercial truck, or railroad car;

"(B) to cover the cost of administering this subsection; and

"(C) through fiscal year 2002, to maintain a reasonable balance in the Agricultural Quarantine Inspection User Fee Account established under paragraph (5).

"(2) **LIMITATION.**—In setting the fees under paragraph (1), the Secretary shall ensure that the amount of the fees are commensurate with the costs of agricultural quarantine and inspection services with respect to the class of persons or entities paying the fees. The costs of the services with respect to passengers as a class includes the costs of re-

lated inspections of the aircraft or other vehicle.

"(3) **STATUS OF FEES.**—Fees collected under this subsection by any person on behalf of the Secretary are held in trust for the United States and shall be remitted to the Secretary in such manner and at such times as the Secretary may prescribe.

"(4) **LATE PAYMENT PENALTIES.**—If a person subject to a fee under this subsection fails to pay the fee when due, the Secretary shall assess a late payment penalty, and the overdue fees shall accrue interest, as required by section 3717 of title 31, United States Code.

"(5) **AGRICULTURAL QUARANTINE INSPECTION USER FEE ACCOUNT.**—

"(A) **ESTABLISHMENT.**—There is established in the Treasury of the United States a no-year fund, to be known as the 'Agricultural Quarantine Inspection User Fee Account', which shall contain all of the fees collected under this subsection and late payment penalties and interest charges collected under paragraph (4) through fiscal year 2002.

"(B) **USE OF ACCOUNT.**—For each of the fiscal years 1996 through 2002, funds in the Agricultural Quarantine Inspection User Fee Account shall be available, in such amounts as are provided in advance in appropriations Acts, to cover the costs associated with the provision of agricultural quarantine and inspection services and the administration of this subsection. Amounts made available under this subparagraph shall be available until expended.

"(C) **EXCESS FEES.**—Fees and other amounts collected under this subsection in any of the fiscal years 1996 through 2002 in excess of \$100,000,000 shall be available for the purposes specified in subparagraph (B) until expended, without further appropriation.

"(6) **USE OF AMOUNTS COLLECTED AFTER FISCAL YEAR 2002.**—After September 30, 2002, the unobligated balance in the Agricultural Quarantine Inspection User Fee Account and fees and other amounts collected under this subsection shall be credited to the Department of Agriculture accounts that incur the costs associated with the provision of agricultural quarantine and inspection services and the administration of this subsection. The fees and other amounts shall remain available to the Secretary until expended without fiscal year limitation.

"(7) **STAFF YEARS.**—The number of full-time equivalent positions in the Department of Agriculture attributable to the provision of agricultural quarantine and inspection services and the administration of this subsection shall not be counted toward the limitation on the total number of full-time equivalent positions in all agencies specified in section 5(b) of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 5 U.S.C. 3101 note) or other limitation on the total number of full-time equivalent positions."

**SEC. 403. EVERGLADES AGRICULTURAL AREA.**

(a) **IN GENERAL.**—On July 1, 1996, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall provide \$200,000,000 to the Secretary of the Interior to carry out this section.

(b) **ENTITLEMENT.**—The Secretary of the Interior—

(1) shall accept the funds made available under subsection (a);

(2) shall be entitled to receive the funds; and

(3) shall use the funds to conduct restoration activities in the Everglades ecosystem, which may include acquiring private acreage in the Everglades Agricultural Area including approximately 52,000 acres that is commonly known as the "Talisman tract".

(c) **TRANSFERRING FUNDS.**—The Secretary of the Interior may transfer funds to the

Army Corps of Engineers, the State of Florida, or the South Florida Water Management District to carry out subsection (b)(3).

(d) **DEADLINE.**—Not later than December 31, 1999, the Secretary of the Interior shall utilize the funds for restoration activities referred to in subsection (b)(3).

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

Mr. STENHOLM demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 156  
negative ..... { Nays ..... 267

¶20.15

[Roll No. 41]

YEAS—156

Abercrombie	Geren	Obey
Ackerman	Gibbons	Olver
Baessler	Gonzalez	Ortiz
Baldacci	Gordon	Orton
Barcia	Green	Pallone
Becerra	Gunderson	Pastor
Beilenson	Gutierrez	Payne (NJ)
Bentsen	Gutknecht	Payne (VA)
Bevill	Hall (TX)	Pelosi
Bishop	Hamilton	Peterson (FL)
Bonior	Harman	Peterson (MN)
Borski	Hefner	Petri
Brewster	Hilliard	Pomeroy
Browder	Hinchey	Poshard
Brown (CA)	Hoyer	Rahall
Brown (OH)	Jackson (IL)	Reed
Bryant (TX)	Jackson-Lee	Rivers
Camp	(TX)	Roemer
Chapman	Jefferson	Rose
Clay	Johnson (SD)	Roybal-Allard
Clayton	Johnson, E. B.	Rush
Clement	Johnston	Sabo
Clyburn	Kaptur	Sanders
Coleman	Kennedy (MA)	Schroeder
Collins (MI)	Kennelly	Sensenbrenner
Condit	Kildee	Serrano
Conyers	Klink	Skaggs
Costello	Klug	Skelton
Coyne	LaFalce	Spratt
Cramer	Lantos	Stenholm
Danner	Levin	Studds
DeFazio	Lewis (CA)	Stupak
Dellums	Lewis (GA)	Tanner
Deutsch	Lincoln	Tejeda
Dicks	Lipinski	Thompson
Dingell	Maloney	Thornton
Dixon	Manton	Thurman
Doggett	Markey	Torres
Durbin	Martinez	Torricelli
Edwards	Mascara	Towns
Engel	McCarthy	Trafficant
Eshoo	McDermott	Volkmer
Evans	McHale	Ward
Farr	Metcalf	Waters
Fattah	Miller (CA)	Watt (NC)
Fazio	Minge	Waxman
Fields (LA)	Mink	Williams
Filner	Mollohan	Wilson
Flake	Montgomery	Wise
Foglietta	Moran	Woolsey
Ford	Morella	Wynn
Frost	Neumann	
Gephardt	Oberstar	

NAYS—267

Allard	Barr	Berman
Andrews	Barrett (NE)	Bilbray
Archer	Barrett (WI)	Bilirakis
Armey	Bartlett	Bilely
Bachus	Barton	Blute
Baker (CA)	Bass	Boehlert
Baker (LA)	Bateman	Boehner
Ballenger	Bereuter	Bonilla

Bono	Hastert	Packard
Boucher	Hastings (WA)	Parker
Brown (FL)	Hayes	Paxon
Brownback	Hayworth	Pickett
Bryant (TN)	Hefley	Pombo
Bunn	Heineman	Porter
Bunning	Herger	Portman
Burr	Hilleary	Pryce
Burton	Hobson	Quillen
Buyer	Hoekstra	Quinn
Callahan	Hoke	Radanovich
Calvert	Holden	Ramstad
Campbell	Horn	Regula
Canady	Hostettler	Richardson
Cardin	Houghton	Riggs
Castle	Hunter	Roberts
Chabot	Hutchinson	Rogers
Chambliss	Hyde	Rohrabacher
Chenoweth	Inglis	Ros-Lehtinen
Christensen	Istook	Roth
Chrysler	Jacobs	Roukema
Clinger	Johnson (CT)	Royce
Coble	Johnson, Sam	Salmon
Coburn	Jones	Sanford
Collins (GA)	Kanjorski	Sawyer
Combest	Kasich	Saxton
Cooley	Kelly	Scarborough
Cox	Kennedy (RI)	Schaefer
Crane	Kim	Schiff
Crapo	King	Schumer
Creameans	Kingston	Scott
Cubin	Klecza	Seastrand
Cunningham	Knollenberg	Shadeegg
Davis	Kolbe	Shaw
Deal	LaHood	Shays
DeLauro	Largent	Shuster
DeLay	Latham	Sisisky
Diaz-Balart	LaTourette	Skeen
Dickey	Lazio	Slaughter
Dooley	Leach	Smith (MI)
Doolittle	Lewis (KY)	Smith (NJ)
Dornan	Lightfoot	Smith (TX)
Doyle	Linder	Smith (WA)
Dreier	Livingston	Solomon
Duncan	LoBiondo	Souder
Dunn	Lofgren	Spence
Ehlers	Longley	Stark
Ehrlich	Lowe	Stearns
Emerson	Lucas	Stockman
English	Luther	Stump
Ensign	Manzullo	Talent
Everett	Martini	Tate
Ewing	Matsui	Tauzin
Fawell	McCollum	Taylor (MS)
Fields (TX)	McCrery	Taylor (NC)
Flanagan	McDade	Thomas
Foley	McHugh	Thornberry
Forbes	McInnis	Tiahrt
Fowler	McIntosh	Torkildsen
Fox	McKeon	Upton
Frank (MA)	McNulty	Velazquez
Franks (CT)	Meehan	Vento
Franks (NJ)	Meek	Visclosky
Frelinghuysen	Menendez	Vucanovich
Frisa	Meyers	Waldholtz
Funderburk	Mica	Walker
Gallely	Miller (FL)	Walsh
Ganske	Moakley	Wamp
Gejdenson	Molinar	Watts (OK)
Gekas	Moorhead	Weldon (FL)
Gilchrist	Murtha	Weldon (PA)
Gillmor	Myers	Weller
Gilman	Myrick	White
Goodlatte	Nadler	Whitfield
Goodling	Neal	Wicker
Goss	Nethercutt	Wolf
Graham	Ney	Yates
Greenwood	Norwood	Young (AK)
Hall (OH)	Nussle	Young (FL)
Hancock	Owens	Zeliff
Hansen	Oxley	Zimmer

## NOT VOTING—8

Collins (IL)	Hastings (FL)	Rangel
de la Garza	Laughlin	Stokes
Furse	McKinney	

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

Mr. STENHOLM demanded that the vote be taken by the yeas and nays, which demand was supported by one-

fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 270  
affirmative ..... } Nays ..... 155

120.16

[Roll No. 42]

YEAS—270

Allard	Foley	Morella
Archer	Forbes	Murtha
Armey	Fowler	Myers
Bachus	Fox	Myrick
Baker (CA)	Franks (CT)	Nethercutt
Baker (LA)	Frisa	Ney
Ballenger	Frost	Norwood
Barcia	Funderburk	Nussle
Barr	Gallely	Ortiz
Barrett (NE)	Ganske	Orton
Bartlett	Gekas	Oxley
Barton	Gilchrist	Packard
Bass	Gillmor	Parker
Bateman	Gilman	Paxon
Bereuter	Gonzalez	Payne (VA)
Bevill	Goodlatte	Peterson (FL)
Billbray	Goodling	Pickett
Bilirakis	Gordon	Pombo
Bishop	Graham	Porter
Bilely	Greenwood	Portman
Boehlert	Gunderson	Poshard
Boehner	Gutknecht	Pryce
Bonilla	Hall (TX)	Quillen
Bono	Hamilton	Quinn
Boucher	Hancock	Radanovich
Brewster	Hansen	Ramstad
Browder	Hastert	Regula
Brown (FL)	Hastings (WA)	Richardson
Brownback	Hayes	Riggs
Bryant (TN)	Hayworth	Roberts
Bunn	Hefley	Roemer
Bunning	Hefner	Rogers
Burr	Heineman	Rohrabacher
Burton	Herger	Ros-Lehtinen
Buyer	Hilleary	Rose
Callahan	Hilliard	Roukema
Calvert	Hobson	Royce
Camp	Hoekstra	Salmon
Campbell	Horn	Sanford
Canady	Hostettler	Scarborough
Castle	Houghton	Schaefer
Chabot	Hunter	Schiff
Chambliss	Hutchinson	Scott
Chenoweth	Hyde	Seastrand
Christensen	Inglis	Shadeegg
Chrysler	Istook	Shaw
Clinger	Jefferson	Shays
Clyburn	Johnson (CT)	Shuster
Coble	Johnson, Sam	Sisisky
Coburn	Jones	Skeen
Coleman	Kaptur	Skelton
Collins (GA)	Kasich	Smith (MI)
Combest	Kelly	Smith (NJ)
Condit	Kim	Smith (TX)
Cooley	King	Smith (WA)
Costello	Kingston	Solomon
Cox	Knollenberg	Souder
Cramer	Kolbe	Spence
Crane	LaHood	Spratt
Crapo	Largent	Stearns
Creameans	Latham	Stenholm
Cubin	LaTourette	Stockman
Danner	Laughlin	Stump
Davis	Lazio	Talent
Deal	Leach	Tanner
DeLay	Lewis (CA)	Tate
Deutsch	Lewis (KY)	Tauzin
Diaz-Balart	Lightfoot	Taylor (NC)
Dickey	Linder	Thomas
Dingell	Lipinski	Thompson
Doolittle	Longley	Thornberry
Dornan	Lucas	Tiahrt
Dreier	Manzullo	Torricelli
Duncan	McCollum	Upton
Dunn	McCrery	Visclosky
Durbin	McDade	Vucanovich
Edwards	McHugh	Waldholtz
Ehlers	McInnis	Walker
Ehrlich	McIntosh	Walsh
Emerson	McKeon	Watts (OK)
English	Meek	Weldon (FL)
Ensign	Menendez	Weldon (PA)
Everett	Meyers	Weller
Ewing	Mica	White
Fawell	Mink	Whitfield
Fields (LA)	Molinar	Wicker
Fields (TX)	Mollohan	
Flanagan	Montgomery	
	Moorhead	

Wilson	Wynn	Young (FL)
Wolf	Young (AK)	Zeliff
NAYS—155		
Abercrombie	Hall (OH)	Oberstar
Ackerman	Harman	Obey
Andrews	Hinche	Oliver
Baessler	Hoke	Owens
Baldacci	Holden	Pallone
Barrett (WI)	Hoyer	Pastor
Becerra	Jackson (IL)	Payne (NJ)
Beilenson	Jackson-Lee	Pelosi
Bentsen	(TX)	Peterson (MN)
Berman	Jacobs	Petri
Blute	Johnson (SD)	Pomeroy
Bonior	Johnson, E. B.	Rahall
Borski	Johnston	Rangel
Brown (CA)	Kanjorski	Reed
Brown (OH)	Kennedy (MA)	Rivers
Bryant (TX)	Kennedy (RI)	Roth
Cardin	Kennelly	Roybal-Allard
Chapman	Kildee	Rush
Clay	Klecza	Sabo
Clayton	Klink	Sanders
Clement	Klug	Sawyer
Collins (MI)	LaFalce	Saxton
Conyers	Lantos	Schroeder
Coyne	Levin	Schumer
DeFazio	Lewis (GA)	Sensenbrenner
DeLauro	Lincoln	Serrano
Dellums	Livingston	Skaggs
Dicks	LoBiondo	Slaughter
Dixon	Lofgren	Stark
Doggett	Lowe	Studds
Dooley	Luther	Stupak
Doyle	Maloney	Taylor (MS)
Engel	Manton	Tejeda
Eshoo	Markey	Thornton
Evans	Martinez	Thurman
Farr	Martini	Torkildsen
Fattah	Mascara	Torres
Fazio	Matsui	Towns
Filner	McCarthy	Trafficant
Flake	McDermott	Velazquez
Foglietta	McHale	Vento
Ford	McNulty	Volkmer
Frank (MA)	Meehan	Wamp
Franks (NJ)	Metcalfe	Ward
Frelinghuysen	Miller (CA)	Waters
Gejdenson	Miller (FL)	Watt (NC)
Gephardt	Minge	Waxman
Geren	Moakley	Williams
Gibbons	Moran	Wise
Goss	Nadler	Woolsey
Green	Neal	Yates
Gutierrez	Neumann	Zimmer

## NOT VOTING—6

Collins (IL)	Furse	McKinney
de la Garza	Hastings (FL)	Stokes

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

## 120.17 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. ROBERTS, by unanimous consent,

*Ordered*, That in the engrossment of the foregoing bill, the Clerk be authorized to make such technical and conforming changes as may be necessary to correct such things as spelling, punctuation, section numbering and cross-referencing.

## 120.18 MOTION TO INSTRUCT

CONFEREES—H.R. 956

Mr. CONYERS submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the Senate amendment to the bill (H.R. 956) to establish legal standards and procedures for product liability litigation, and for other purposes, to insist upon the provisions contained in section 107 of the House bill.

After debate,